

DELAWARE DEPARTMENT OF TRANSPORTATION
GUIDELINES FOR THE USE OF
UNIFORMED LAW ENFORCEMENT OFFICERS IN WORK ZONES
NOVEMBER 26, 2008

I. INTRODUCTION

The presence of uniformed law enforcement officers (i.e., traffic officers) and marked law enforcement vehicles in view of motorized traffic in construction and maintenance work zones has proven to be effective in enhancing the safety of road workers and motorists.

The purpose of these guidelines is to provide guidance regarding the use of uniformed law enforcement officers in work zones in accordance with the Federal Highway Administration's (FHWA) ruling on Temporary Traffic Control Devices (23 CFR 630 Subpart K). These guidelines apply to all projects on streets and highways under the Department's jurisdiction. These guidelines do not apply to work related to emergency repairs. Specifically, these guidelines address:

- Identifying when law enforcement involvement in work zone traffic control may be needed or beneficial
- Interagency communications and procedures for obtaining law enforcement personnel
- Reimbursement for law enforcement services
- Training requirements for law enforcement officers

II. IDENTIFYING THE NEED FOR UNIFORMED LAW ENFORCEMENT OFFICERS

The need for law enforcement services should be determined during the development of the Traffic Control Plan (TCP). The determination should be made by the project designer in coordination with DeIDOT Traffic and DeIDOT Construction staff. For large projects, it may be beneficial to contact Delaware State Police (DSP) or local law enforcement agencies for additional input and consultation.

The primary reasons to use law enforcement services in work zones to increase road user and worker safety are:

- **Increased visibility:** The presence of a marked police vehicle in the work area is an effective measure to capture the attention of passing motorists, resulting in greater motorist alertness. Presence of marked police vehicles is also an effective speed control measure.

- **Enforcement:** Police enforcement increases motorists' compliance with work zone regulations and discourages speeding and aggressive and careless driving.
- **Emergency assistance:** Law enforcement officers can immediately respond to any incident or crash, minimizing the potential for secondary incidents, and quickly restoring traffic flow to normal conditions.
- **Traffic control:** Law enforcement officers can control traffic when flaggers or other traffic control devices may be insufficient to control traffic. Their presence facilitates the safe and efficient movement through the work zone.

Specific project conditions should be examined during the development of the TCP to determine the need for, or potential benefit of, law enforcement. Factors to be considered include the following:

- High-speed traffic without positive protection devices
- Traffic control setup or removal that presents significant risks to workers and road users
- Complex or short-term changes in traffic patterns with a significant potential for road user confusion or worker risk (e.g., temporary median crossovers, temporary bypass roads, areas with new and/or unusual traffic patterns, etc.)
- Night work operations that create substantial traffic safety risks for workers and road users
- Existing traffic conditions and crash histories that indicate a potential for substantial safety and congestion impacts related to the work zone activity, and that may be mitigated by improved driver behavior and awareness of the work zone
- High-speed roadways where unexpected or sudden traffic queuing is anticipated, especially if the back of queue is likely to be located a considerable distance in advance of the work zone or immediately adjacent to the work space
- Other work zone conditions where traffic presents a high risk for workers or road users and the risk may be reduced by improving road user behavior and awareness

Law enforcement officers **shall** be used for the following conditions:

- Striping operations along the following roadways (see DeIDOT MUTCD Part 6 – Case 23-C)
 - I-95
 - I-295
 - I-495
 - SR 1 - North of the Canal
 - SR 141 – From I-95 to SR 2
- Work zone operations along interstates, expressways and freeways that require brief stopping of all traffic in one or both directions of travel (e.g., erection of overhead structures, moving of large construction equipment, etc.)

Law enforcement officers **should** be used for the following condition:

- During the installation and removal of traffic control devices required to implement full roadway closures or major ramp closures along interstates, expressways and freeways

Law enforcement officers **should be considered** for the following conditions:

- Any project on an interstate, expressway, or freeway
- Frequent worker presence adjacent to high-speed traffic without positive protection devices
- At intersections where lane restrictions and/or closures upstream, downstream, or within an intersection require multiple flaggers and/or manual operation of a traffic signal
- When the queuing of vehicles across a highway-rail grade crossing (considered to be 50 feet on either side of the closest and farthest rail) cannot be avoided, even when automatic warning devices are provided (see DelDOT MUTCD Part 6 – Cases 17-A and 17-B)

III. LAW ENFORCEMENT SERVICES FOR SPECIFIC OPERATIONS

Project conditions should be examined during the development of the TCP to determine the need for specific law enforcement services, including the use of multiple officers to increase awareness of work zone conditions. The Transportation Management Plan (TMP) and/or contract documents should provide guidance regarding the use of specific law enforcement services.

The following specific law enforcement operations and their objectives should be considered during the development of the TCP:

Stationary and roving police presence and enforcement

- Encourage speed limit compliance and compliance with other traffic laws to increase road user and worker safety
- Reduce the speed of vehicles traveling through a work zone
- Encourage greater motorist alertness for worker safety

Rolling road blocks

- Momentarily suspend the entire traffic flow through a specific roadway segment where short-duration road work (i.e., 10 to 15 minutes) is taking place

Law enforcement operations in mobile work zones

- Enhance the visibility and safety of mobile work zone operations

IV. INTERAGENCY COMMUNICATIONS AND PROCEDURES FOR OBTAINING LAW ENFORCEMENT PERSONNEL

The need for law enforcement officers may be identified by the contract documents, contractor, engineer, or safety officer. Once the need for law enforcement officers has been identified, the following steps should be taken to request an off-duty law enforcement officer:

- The contractor obtains approval from the engineer for the specific duration and number of law enforcement officers anticipated for each work zone activity.
- The contractor contacts Delaware State Police (DSP) or the local law enforcement agency to request the services of off-duty police officers.
- The contractor explains the required services to the law enforcement officers including the location, time period, and specific operations to be provided (e.g., enforcement, rolling road block, etc.).

V. REIMBURSEMENT FOR LAW ENFORCEMENT OFFICER SERVICES

Payment for the services of uniformed law enforcement in work zones is typically included in the contract documents. When payment is included through the contract, the contractor is responsible for reimbursing the law enforcement agency and recovers costs through contract pay items. Special provision 743007 – Traffic Officers specifies the payment amount and basis of payment.

For emergency response situations and maintenance operations, DelDOT reimburses the law enforcement agency directly. For utility and private developer projects, the utility company or developer reimburses the law enforcement agency directly.

VI. TRAINING REQUIREMENTS FOR LAW ENFORCEMENT OFFICERS

Each person whose actions affect work zone mobility and safety shall receive training appropriate to the job decisions each individual is required to make.

The Delaware Council on Police Training establishes mandatory training and educational requirements for all law enforcement officers in Delaware. As part of the basic curriculum required by the Delaware Council on Police Training, law enforcement officers must participate in a two hour training session “designed to teach the officer the fundamentals and mechanics of traffic control and control devices; and to familiarize the officer with the proper signals and gestures used in point traffic control.”

In addition, DelDOT’s Transportation Management Team (TMT) training is provided for law enforcement officers, DelDOT staff, and other incident responders. The training focuses on efficient incident management including interagency coordination, command structure, field communications, and the implementation of short-term and long-term traffic control.